



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

September 17, 2001

### **H.R. 2833** **Viet Nam Human Rights Act**

*As passed by the House of Representatives on September 6, 2001*

#### **SUMMARY**

H.R. 2833 would authorize appropriations for programs to promote human rights and democratic change in Viet Nam and to overcome the jamming of Radio Free Asia broadcasting by the government of Viet Nam. The act also would encourage the State Department to establish a liberal resettlement policy for nationals of Vietnam facing continuing persecution. CBO estimates that implementing the act would cost \$13 million over the 2002-2006 period, assuming appropriation of the authorized amounts. Because the legislation would not affect direct spending, pay-as-you-go procedures would not apply.

H.R. 2833 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments. The act would impose a new private-sector mandate that would prohibit the export to Viet Nam of defense-related items covered under section 38 of the Arms Export Control Act (AECA) if the President determines that the government of Viet Nam has not complied with certain human rights requirements. CBO estimates there would be no direct costs of complying with the mandate.

H.R. 2833 is similar to and is a substitute for H.R. 2368, the Viet Nam Human Rights Act, as reported by the House Committee on International Relations on September 5, 2001.

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of H.R. 2833 is shown in the following table. CBO assumes that the authorized amounts would be appropriated by the start of each fiscal year and that outlays would follow historical spending patterns. The costs of this legislation fall within budget function 150 (international affairs).

	By Fiscal Year, in Millions of Dollars				
	2002	2003	2004	2005	2006
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</b>					
Estimated Authorization Level	11	3	0	0	0
Estimated Outlays	8	3	1	1	0

## **BASIS OF ESTIMATE**

Section 211 of H.R. 2833 would authorize the appropriation of \$2 million a year in 2002 and 2003 for programs to promote human rights and nonviolent change in Viet Nam. In addition, section 201 would limit bilateral assistance to the government of Viet Nam to ongoing programs funded at the 2001 level unless the President certifies that the government of Viet Nam is making substantial progress with respect to protecting human rights and religious freedom, including the release of political and religious prisoners and controlling the trafficking of persons. The United States provided \$4 million in bilateral assistance to Viet Nam in 2001. The President may waive the restrictions and they would not apply to programs that provide food, medicine, disaster relief, or refugee assistance.

Section 221 would authorize the appropriation of \$9.1 million in 2002 and \$1.1 million in 2003 for measures to overcome the jamming of Radio Free Asia by the government of Viet Nam. That amount would be in addition to amounts otherwise authorized for grants to Radio Free Asia. Radio Free Asia received funding of \$25 million in 2001 and H.R. 1646, the Foreign Relations Authorization Act, Fiscal Years 2002 and 2003, as passed by the House on May 16, 2001, would authorize \$30 million a year in 2002 and 2003.

Section 232 would authorize such sums as may be necessary in 2002 and 2003 for the protection of Vietnamese refugees and asylum seekers in Cambodia. Based on information from the Department of State, CBO estimates the costs would be less than \$500,000 in each year, subject to appropriation of the estimated amounts.

Section 232 also would state that it is United States' policy to offer refugee resettlement for nationals of Vietnam who were eligible for certain refugee programs but were deemed ineligible due to administrative error or who were unable to apply by the State Department deadline for reasons beyond their control. This policy statement would not change current law since the State Department has the discretion to reopen these cases. It is unclear how H.R. 2833 would affect the department's use of its discretion in this area. In recent years,

the department has resisted entreaties to reopen the refugee resettlement program. CBO does not estimate that H.R. 2833 would increase direct spending for public benefits for refugees.

**PAY-AS-YOU-GO CONSIDERATIONS:** None.

### **ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS**

H.R. 2833 contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

### **ESTIMATED IMPACT ON THE PRIVATE SECTOR**

H.R. 2833 would impose a private-sector mandate as defined by UMRA. That mandate would prohibit exports of defense-related items covered under section 38 of the AECA to Viet Nam if the President determines that the government of Viet Nam has not complied with certain human rights requirements. According to the Department of State, there are currently no export licenses granted for such merchandise. Thus, the direct cost to exporters of complying with this mandate would be zero.

### **ESTIMATE PREPARED BY:**

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